

Dr. Pepi Schafler JD  
10829 Brewer House Road  
North Bethesda MD, 20852  
Tel: 301-881-7079  
Fx. 301-301-7202  
[dr.pepi.schafler@verizon.net](mailto:dr.pepi.schafler@verizon.net)

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

2012 MAR -7 P 12:57

CLERK'S OFFICE  
AT GAITHERSBURG

BC

REPLY

IN THE UNITED STATES DISTRICT COURT  
FOR THE STATE OF MARYLAND

Pepi Schafler  
*Plaintiff*

V

Scott D. Field Esq.  
11921 Rockville Pike  
Rockville MD, 20852

**COMPLAINT**

Jury Trial requested

PJM 12 CV 0715

Kenneth Oestreicher Esq.  
7 St. Paul Street  
Baltimore MD , 21202

Reznick, Fedder & Silverman  
4120 East West Hwy, Suite 100  
Bethesda, MD 20814

Whiteford, Taylor&Preston  
Seven Saint Paul Street  
Baltimore, MD 21202

Dennis D. Davis Esq.  
44 Montgomery Street  
San Francisco CA, 94104

Richard J. Spear Esq.  
3618 Happy Valley Lane  
Lafayette, CA 94596

Goldberg, Stinnet et al  
44 Montgomery Street  
San Francisco, CA 94104

*Defendants*

**Complaint for conspiracy, mail, wire and securities fraud ,money laundering, human trafficking for profit, embezzlement , extortion ,looting under false pretenses of bankruptcy , perjury, lying to the tribunals, intimidation, terrorism, infliction of emotional distress**

## **JURISDICTION**

This Court has jurisdiction of this matter pursuant to Article III Section 2, of the United States Constitution . The Constitution further authorized Congress to create as many additional courts as needed to meet their jurisdictional judicial duties. The 95<sup>th</sup> Congress created a group of Article I courts , bankruptcy courts which are inferior courts to the Article III courts, intending for them to aid in their jurisdiction These Article I courts created by the legislature are subordinate courts to Article III courts , which were created in and by the Constitution There are those that see responsibility by the Article III courts for the actions and conduct of the Article I courts. The Article III courts have supervisory jurisdiction of the Article I courts , some of which have run amok. Title 28 Sec. 1334 also provides this court with jurisdiction in this matter.

This matter is not about bankruptcy in the common definition of debtors and creditors, but rather it is about corrupt depraved predators. only. The Article I courts in the present matter have failed to respect and adhere to the constitutional requirement of standing, therefore the orders from those courts must be vacated by this Court which has the authority to do so.

The matter at instant is 100% on point with the *Hazel-Atlas doctrine* , put forth by the United States Supreme Court in *Hazel-Atlas Glass Co. v Hartford-Empire Glass Co.* 322US 238. Holding that “decisions and judgments obtained through fraud and deceit of the court by officers of the court may be challenged at any time , and must be vacated. The Supreme Court further held that those victimized by the lying officers of the court must prevail, and the lying officers of the court must be removed from the courts where they lied.

## **INTRODUCTORY STATEMENT OF FACTS**

The subject matter of this complaint is a RICO conspiracy created under false pretenses of law ,through racketeering , fraud, deceit , extortion, theft , money laundering , swindles

unjust enrichment ,human trafficking for exploitation ,through perversions of the facts and law, fed by bribery , through manufactured evidence , all for the singular purpose to rob the Plaintiff thus enabling the perpetrators to stuff their pocket with the ill gotten gains from robbing the Plaintiff. These crimes originated in Maryland ,where Plaintiff has been a citizen since 1995,.

All the Defendants –perpetrators are miscreant officers of the court whose reckless disregard for their oath, for truth , for the rights of others, who are so perverted by greed that they lie , swindle, forge, deceive, manufacture evidence at will-all like ordinary street gangsters thus bringing shame and harm to the profession of officers of the court and those that ttrust them.

The present action was a fraudulent, big lie created by Defendants Field and Oestreicher who are both officers of the court, who both were and are part of this RICO conspiracy They were hired by a scorned formed husband whose only purpose was to cause harm to Plaintiff., and who promised the Defendants money, cocaine and prostitutes ,sending clients to Field's employer, an accounting firm. His only sought for benefit was revenge.

When Plaintiff had to go to California due to a family tragedy on an extended visit-stay Defendants Scott Field and Kenneth Oestreicher, who had been thwarted in their expectation to extort funds from Plaintiff in Maryland , saw an opportunity to create another massive fraud and swindle ,to generate ill gotten gains They contacted like minded individuals –racketeering RICO miscreants officers of the court in California named Richard Spear and Dennis Davis to humanly traffic the Plaintiff to them for which trafficking they would receive \$200.000 and Davis and Spear will keep everything else they can extort and steal from the Plaintiff. All the racketeers created an illusory “estate” in California through which Plaintiff was victimized and terrorized in Nazi fashion.,and a Nazi confiscation. The whole swindle of this illusory creation was fraudulent unconstitutional and an exploitation of the law for racketeering, extortion, theft.

..



**(1) THE FOR PROFIT RICO CONSPIRACY**

A scorned former husband –a suspended attorney –to be further identified by the initials : SFH and his buddy a reinstated attorney, were looking for a sleazy someone to harass and harm the Plaintiff , and hired Defendant Scott D Field Esq and his counsel for that task. The only benefit for the vindictive SFH and buddy was going to be : to enjoy the revenge. Some years before Defendant Field had been the trustee for a ch7 filed by counsel on Plaintiff's behalf. After 30 days in that position ,Field assured the court that he had done a very thorough job, investigating the case, and asked to be removed. The court obliged ,closed the case shortly thereafter.,and dismissed Defendant Field Years later, the SFH and his gangster buddy, neither of which were debtors or creditors-the constitutional requirement for any kind of legitimate involvement, contacted Defendant Field, likewise without any standing having asked to be dismissed by the court, and the court having done so and closed the case , was offered a deal which would be profitable for him ,that he apparently did not want to refuse, : to reopen the long closed by the court case to harass the Plaintiff. Defendant Field promptly obliged , by contacting the Article I court lying to the court pretending that he had standing,, also lying about who his client is, and bamboozled the court in to reopening the long adjudicated closed and dismissed case.

**(2) THE PROMISED COMPENSATION TO HARASS THE PLAINTIFF**

The SFH promised Defendants Field and Oestreicher :cash, cocaine and prostitutes , clients for the accounting firm Defendant Resnick et al which employed Field, and help them extort more money from the Plaintiff even if exempt.Anything they can extort from Plaintiff , will be theirs to pocket. This whole RICO conspiracy was being created ex parte, and neither Plaintiff or counsel knew about this scam taking shape. There were no pleadings, no facts ,no due process , none of the requirements of the FRCP or the constitution. The SFH and the

gangster buddy had essentially ex parte purchased themselves a surrogate hater of the Plaintiff., a really corrupt one with the Article I court approval ..

**(3) THE REOPENING FRAUD WAS PROMPT AND EXPARTE**

Defendant Field and Oestreicher knowingly lied to the court, when they sought reopening, not making allegation against Plaintiff, but rather utilizing abstract general statements. The Article I court immediately-by return mail and ex parte reopened the case. Why? Possibly could not say no to these liars. This was the first that Plaintiff learned of this reopening Due process? Not in this matter in this court.

**(4) PREPARING A REPLY**

Plaintiff counsel of course responded promptly , primarily pointing out the fraud of this reopening , the lack of standing, and that this was manufactured evidence to harass the Plaintiff, fraud on the court by Defendant Field and Oestreicher's part. The options were : to have a full evidentiary hearing and prove the criminality of this event, and seek damages, or seek a solution that would side step all of this fraud on the court in a speedy manner. An issue in an evidentiary hearing was that it would require the presence of the SFH who was restrained in two jurisdictions from being in Plaintiff's immediate presence . Therefore it would require waivers and whatever other restrictions the courts in NY State and Florida might place on him. A hearing was scheduled anyway, to find a speedy end to this fraud..

**(5) A RECOGNIZANCE AND CONVERSION HEARING**

Counsel filed several pleadings pointing out the lawlessness and corruption of this action, while also making plans for a speedy exit through conversion to ch 13 as provided by law. A legal remedy for a corrupt lawless act. A hearing held on August 28, 1998 at which time the Article I court said it would approve the conversion. Defendant Field objected. The court berated him with vehemence saying that he is only interested in money, in getting cases for his employer Defendants Reznick et al to harvest fees, and the same for his counsel Oestreicher, whether it is called for or not. Evidence-albeit illusory that the court knew the character of these Defendants and their goal. Defendant Oestreicher Esq. stood up and shouted: "I want money I want \$15,000. Who is going to give me that." There was silence. he repeated: "I want money. 15.000" more silence and thereafter the court called the hearing over. It would take exactly two months October 28, 1998 from the day of the hearing for the court to file the order. It is a reasonable conclusion that Defendants Field and Oestreicher were lobbying against the signing of the order because as Oestreicher said they wanted money, which would not be forthcoming. Field was dismissed a second time -a refreshing pleasant event: a liar dismissed the second time..

**(6) AN UNEXPECTED FAMILY TRAGEDY IN PLAINTIFF'S LIFE.**

Within days of the order being filed, a family tragedy had developed in California. Plaintiff's only sibling a distinguished and accomplished man, prominent through his position with the world's most famous think tank, had suddenly taken ill. The frequent updates were less and less encouraging. But in the interim Plaintiff had met with the ch 13 trustee, and a plan was worked out requiring only the Article 1 court's signature. The sibling's prognosis had become very grave and Plaintiff needed to go to California for awhile to be with him, and help his wife



and child prolong his life. The SFH knew a lot of these details from family sources , and shared them with Defendants Field and Oestreicher. Plaintiff had explained to the court all the details of the tragedy , and her need to leave shortly, and asked the court to sign the plan. In response the court had very trite replies and excuses , but Plaintiff expected it to be signed soon. It did appear however that counsel-by then dismissed and Plaintiff underestimated the depravity of these Defendants. Instead of conversion , full court press of law was needed toward these corrupt men . To apply the medical model : these men represent the equivalent of an ugly malignant and corrosive tumor that needs to be surgically excised with great attention to prevent the tumor's reappearance ever. Defendants Field and Oestreicher had needed thorough excision.

#### **(7) THE COURT WAS EASILY EXPLOITED BY THESE DEFENDANTS**

Defendants Field and Oestreicher extensively exploited their relationship with the Article I Court with malicious and lawless or criminal acts that brought them unearned and undeserved financial gain along with assurance that their malfeasance will never be challenged by the court. It appears that in their presence the court forgot it's oath , duty and fidelity to the constitution..

During the conversion hearing the court demonstrated awareness of the greed motivated malfeasance by these individuals , their scams, their frauds, their lawlessness, and after having dismissed them in the past, nevertheless maintained an open door policy for them. They accessed the court at will, and this open door policy for them enabled their perversions and crimes to flourish. Some officers of the court who are aware of the court's kindness toward them have jokingly speculated whether Defendants Field and Oestreicher carry chloroform in their bags, The consequences of this open door policy to the court chambers for these wrongdoers was the court's failure to sign the plan as required by law. A requests and scam by Defendants Field and Oestreicher despite the previous berating by the court had priority , and all was forgiven.

**(8) THE HUMAN TRAFFICKING OF THE PLAINTIFF**

All human trafficking is for exploitation, terror and lawlessness, with the more common being domestic and sex workers. Plaintiff was trafficked for extortion, robbery and looting of her retirement funds.

When Plaintiff left Maryland for awhile to deal with a tragedy in California, the miscreants Field and Oestreicher had persuaded the Article I court not to confirm its own order of a ch 13 conversion, and instead falsely allege that this is a whole new ch 7 bankruptcy petition which they will then sell to two marauders in California. Plaintiff had retirement funds, which the SFH and they will help the marauders confiscate and pocket, and they Field Esq. and Oestreicher Esq will receive a "fee" of \$200,000 for this heist and criminal act. Of course this ex parte fraud and conspiracy must remain until the California crooks can get situated and started and create legitimacy for this crime. It all unfolded exactly how they wanted it.

This Court might be shocked by the actions of the Article I court :

**(9) THE CALIFORNIA MARAUDERS AND LOOTERS TO WHOM  
THE PLAINTIFF WAS TRAFFICKED**

The California looters and marauders are also lying, perjuring, forging and racketeering officers of the court named Dennis D Davis, and Richard J. Spear both located in the East Bay area of Northern California, Dennis Davis is a liar, perjurer, swindler. There are reported cases in which his lies are exposed. Richard Spear is alternately referred to as a bankruptcy pimp, or the Godfather His name appears on more than 75,000 bankruptcy cases as trustee courtesy of a judge.

This started according to him more than 30 years ago, this despite the US Code which calls for a trustee to serve only one year. He does no work: he is the "money man" is a multimillionaire and parcels out cases to other officers of the court. Not unlike Field and Oestreicher they are also



“good friends” with an Article I court. Defendant Davis has his own “fixer” an Article III court who takes care of him.

**(10) THE WANTON EXTORTIONISTS AND MARAUDERS ATTACK**

Plaintiff had been in California just a few weeks , unaware. of all the misconduct that would come from Maryland, that she had been trafficked for exploitation and looting Plaintiff’s sibling was in very grave condition , and she received a telephone call from Defendant Davis who informed her that he is counsel for Defendant Spear her trustee in bankruptcy who now owns all her assets and to turn them over to him promptly. What? Who? Plaintiff was incredulous assumed it was an error or a prank , and explained to Davis that there must be an error , and beside Plaintiff can not deal with anything at this time. Defendant Davis told Plaintiff that “he does not want to wait” No pretense of anyone else having an interest

Plaintiff’s sibling died a few days later and the brokenhearted Plaintiff went to grieve with her family. She returned a few weeks later to an avalanche of pleadings and holding Plaintiff in contempt.

**(11) WITHOUT COUNSEL IN A JUNGLE**

Because of who Defendants Spear and Davis are –their notoriety had preceded them, something Plaintiff learned after meeting with the president of the bar association it would be unlikely for Plaintiff to have counsel. Believing that this whole persecution was an error, Plaintiff filed a variety of pleadings but also enrolled in law school. The Article I court never scheduled any of Plaintiff’s requests to the court . Plaintiff assumed that this might be a clerk at work and wrote a letter asking why Plaintiff is denied access to the court?

**(12) THE CONSEQUENCES OF BEING TRAFFICKED FOR  
LAWLESS EXPLOITATION THE ILLUSORY "ESTATE"**

Defendants Spear and Davis were filing a fair amount of pleadings surrounding their Expectation of plundering and stealing Plaintiff's retirement funds. They traveled to Maryland and met with the SFH , with Defendants Field and Oestreicher and strengthened the racketeering conspiracy. Plaintiff tried to be heard, filed motion –she had enrolled in law school -,expected due process proceedings all to no avail. She did not exist other than an object for theft and exploitation. Once the full criminal conspiracy under the color of law became clear to the Plaintiff, and that she had been trafficked for Defendants exploitation and their unjust enrichment-all these proceedings were the equivalent to being the wedding planner for the tooth fairy-, it was all illusory fraud.

**(13) COGNITIVE DISSONANCE: THE PRISTINE LAW SCHOOL IDEALS  
WITHOUT ILLUSORY ESTATES OR CORRUPT PLUNDERING**

Like in every law school students are taught respect for the law, the constitution , the courts, seeking the truth , yet Plaintiff was living in the midst of a Nazi enterprise.. As a European –American and child Nazi victim, Plaintiff knows what represents Nazi belligerent lawless extortion The gangster members of this fraud and conspiracy Defendants :Field, Oestreicher, Spear and Davis were ready for their belligerent extortion profits

**(14) THE MARAUDERS HIRED A THUG FOR THE ILLUSORY ESTATE  
TO STALK. HARASS, INTIMIDATE, TERRORIZE, TO CAUSE  
HARM AND ROB THE PLAINTIFF**

The corrupt miscreants hired a thug to stalk the Plaintiff, burglarize her residence and

Steal documents, anything else he could , invaded Plaintiff's privacy in various ways, checked Plaintiff's driving record, was looking for "intelligence on Plaintiff", provided the SFH with reports of Plaintiff's activities , and lied continuously. It was really scary to come out the door and see the ugly thug sitting there, later being followed ,seeing him in places he did not belong.

**(15) DEFENDANT DAVIS THE ULTIMATE MISCREANT  
BENEFITTING FROM THIS THEFT, REQUESTED A BRIBE**

At one point in this ordeal Defendant Davis Esq. asked Plaintiff for a bribe of \$130,000 and something for Defendant Spear-amount not specified. He proceeded to say that if Plaintiff gives him and Spear this requested bribe , Plaintiff will have some retirement funds left for herself. Of course he affirmed that he knew that he was seeking Plaintiff's retirement funds exempt from any judgment under the laws of the State of Maryland. He also managed to remind Plaintiff that Spear owns all her assets, This schizophrenic exchange reminded Plaintiff again, that she was trafficked to be exploited and robbed Plaintiff declined this wonderful offer .Bribing a despised racketeering criminal is not desirable , although sometimes it is advantageous to appease a putrid beast.

**(16) FRAUD, FORGERY , DECEIT, MANUFACTURING DOCUMENTS  
BY AND FOR THE ILLUSORY ESTATE**

All the proceeding , all the filings in this illusory estate being fraudulent and the means to the end the Defendants were waiting for: plunder and looting. Defendants were impatiently lusting for her assets , excluding Plaintiff's pleadings, dismissive of anything she had to say, because the arrangements had already been finalized ex parte. There was just the need to step over the Plaintiff. A hearing was scheduled to confirm that Plaintiff's retirement funds belong to the "illusory estate and the illusory "trustees" known as Defendants Spear and his Davis.



The hearing outcome was predetermined : the Article I court agreed with Defendants Spear and Davis that Plaintiff's retirement funds belong to. the illusory ,estate named Spear, Davis, Field and Oestreicher but did not sign an order immediately , because there is a ten day repose to challenge the decision. Defendant Davis had come prepared with his own manufactured and forged order , and 5 minutes after the hearing was over he filed that forged and manufactured order in the clerk's office.

**(17) AN ARTICLE III COURT NOTIFIED PLAINTIFF OF THE  
FORGERY AND MANUFACTURED ORDER IN THIS  
ILLUSORY CASE**

Almost two years later an Article III court notified this Plaintiff that Defendants Spear and Davis had forged that order by the Article I, court and that this was something she believed Plaintiff did not know. Plaintiff was indeed unaware of this forgery and fraud. This was a swindle and fraud layered on a swindle and fraud. When asked to vacate this forged manufactured order as required-no forged manufactured document is valid in a court of law, the Article III court declined ,saying the court of appeals has to do it. The court of appeals did not care. .

**(18) FORGED ORDER IN HAND HUNTING FOR PLAINTIFF'S  
PROPERTY FOR THE ILLUSORY ESTATE BETTER  
KNOWN AS THEIR PERSONAL BANK ACCOUNTS**

Empowered by the manufactured forged order and having succeeded this far in their corrupt enterprise of human trafficking of the Plaintiff , Defendants Spear and Davis began harassing and hunting the Plaintiff with the ferocity of Nazi storm troopers. Their pursuit was relentless. As part of the terror campaign wherever Defendants Spear and Davis had the

opportunity they slandered Plaintiff's character implying wrong doing on her part

**(19) THE CALIFORNIA BAR ASSOCIATION EVALUATION**

Plaintiff had been planning to return to Maryland for a long time, but was deeply mired in the RICO enterprise of Defendants Field, Oestreicher, Spear & Davis and was searching for the way out. Having finished law school, Plaintiff applied to take the California Bar for which a character evaluation is required. Plaintiff had to -and wanted to -provide in great detail the corruption encountered, and being trafficked to have her assets stolen in the RICO enterprise, the marauders that looted her lawfully held property and the brazen criminality she had fallen prey to, all by gangsters that are also officers of the court. The bar examiner's committee paid attention to details, asked appropriate questions, and presumably verified some issues on their own. Plaintiff was told that she had done nothing wrong, and a short time later the California Bar sent Plaintiff a certificate that she is a person of good moral character.

**(20) EXTORTION, CONFISCATION, THEFT OF PLAINTIFF'S FUNDS**

Plaintiff was summoned to the Article I kangaroo court under false pretenses and detained, and was going to be incarcerated until she handed over her retirement funds to Defendants Spear and Davis. While this is exactly what Nazis did, what one learns is to comply and then hold them accountable, disgorging etc. At that moment there were no other choices. She was a hostage of gangsters and ransom had to be paid. Plaintiff handed over to the Article I court for the benefit of the illusory estate named Field, Oestreicher, Spear and Davis publicly traded securities worth approximately \$480,000 and with the splits and dividends they were valued at more than \$500,000. Plaintiff has the evidence for these crimes

**(21) UNJUST ENRICHMENT: PLAINTIFF'S LOOTED SECURITIES**

The following securities portfolio represents Plaintiff's retirement funds, which under great duress were confiscated from her in Nazi fashion , stolen by Defendants Spear Esq. and Davis Esq. Defendants Field Esq. and Oestreicher Esq. received a share of these ill gotten gains as well. This was the culmination of their human trafficking of the Plaintiff.

Amazon 200 shares; AOL 2.320 shares; AT&T 250 shares.

Biogen 200 shares; Cardinal Health 562 shares ;Chevron 100 shares

Citigroup 600 shares ; Coca Cola 400 shares , Dell 125 shares

Disney 1300 shares , Eli Lilly 100 shares General Electric 400 shares

Intel 170 Shares; Lucent Tech 256 shares , MacDonald 600 shares

Merck 400 shares , Microsoft 720 shares.

All these securities wound up domiciled in Defendant Spear and Davis's pockets and bank accounts. While Defendants Field and Oestreicher received their human trafficking fee-though the amount –whether they received the full \$200.000 Plaintiff does not know.

Plaintiff believes that this securities heist by Defendants Spear Esq. and Davis Esq. is a massive RICO security fraud under false pretenses. There was an illusory bankruptcy which in reality was a fraud. They signed all the certificates knowing that this was all a fraud., and that they were stealing it for their own purposes in their own bank accounts

There was no bankruptcy, there was no standing, and there was no jurisdiction for the Article I court Plaintiff was a visitor , but just like they do in places like Somalia : you show up.- you get robbed. That is why we have RICO statutes.



**(22) A MICROCOSM OF THE RICO RACKETEERING GANG  
*FALSI IN UNO FALSI IN OMNIBUS***

The following event is a microcosm of the RICO conspiracy by all greedy corrupt miscreants officers of the court looking to steal anything of value, and the scorned former husband who hired all these corrupt liars and miscreants to harm or deprive this Plaintiff. He lives for the vengeance and they live for the theft, fraud and forgery.

In Buffalo NY State Supreme Court, in September 1992 there was a 12 day trial in which Plaintiff was likewise a Plaintiff, seeking a marital dissolution. While NY State divorce laws are rather restrictive, it was also the person Plaintiff was divorcing, a task that took 9 years. The SFH once a partner in a prestigious law firm, had deteriorated and become a criminal, and criminals are not easy to divorce—requires persistence and a lot of legal fees.

All the marital assets that could be located were divided 50/50. One of the assets located was an 1% interest in a 25 year government bond for Section 8 housing purchased in 1978 that was likely to mature in 2004 if the project survives- but not certain. In the interim it provided a tax deduction of \$ 400 annually. The court ordered this deduction to be shared \$200 each party, and Plaintiff was receiving the form annually.

Preparing the 2005 tax return, and not having received the deduction forms, Plaintiff learned that the Section 8 bond had matured and the 1% had generated \$15,500 two checks in amount of \$7,750 issued by a government agency the Department of Housing and were both mailed to the SFH (scorned former husband) -one with Plaintiff as the payee. The SFH sent it to Defendants Spear and Davis which they cashed and said it belongs to the illusory estate. Defendants Spear and Davis forged Plaintiff's identity and signature in a government document. This extortion was 10 years after any legitimate connection to an estate, and was not by the debtor or a creditor, but by racketeering predators.

**(23) APPLICABLE LAWS : AND STARE DECISIS.**

The present matter in it's unparalleled lawlessness and RICO corrupt action 100 % on point with *Hazel-Atlas Glass Co. v Hartford –Empire Glass Co.* 322 U.S. 238, Plaintiff will go in to details on that case, but there are other determinative holdings that are fully applicable as well, though few cover an” illusory bankruptcy estate to plunder”

(a) *Fourth amendment* US Constitution “ the right of the people to be secure in their houses with their papers” The marauders hired a thug to burglarize Plaintiff’s residence and stole her documents among other, to help them steal the rest

(b) *Fifth Amendment* U.S. Constitution :” nor shall anyone be deprived of property without due process nor shall private property be taken without just compensation” There was no due process proceeding, and Plaintiff hopes that just compensation will be forthcoming soon

© *Martin v Hunter’s Lessee* 14 US 304 The Constitution of the United States is for the common and equal benefit of the people of the United States .

(d) *Standing* Article III Sec 2 the Court shall have jurisdiction on all cases of injury or controversy , the Plaintiff must have injury in fact and a favorable outcome would be to his singular advantage. *Ward v Seldin*, 422 US, 490. The Defendants are just exploitative plunderers and thieves –which does not provide standing. They had no standing just greed

(e) *In Re Crykoski* 320 B.R.385 (2005) the court held that every action including a bankruptcy proceeding must be prosecuted by the real party in interest the party with standing. While this whole matter is a fraud and an illusory bankruptcy , both after reopening in Maryland and the trafficking to California , there was no one with standing just unmitigated gall and greed.

(f) *In US v Lynne Stewart et al*, the court held that lying to the court or submitting falsified documents to the court means stealing court time from the people. Ms Stewart Esq, is serving a 4 year prison sentence for lying to the court.



(g) *In United States v Krass* 409 US 434 the court held that bankruptcy has no rights Debtors and creditors have the rights , and other multiple means to solve their disputes. The criminal acts perpetrated in this matter were not about bankruptcy, but rather about criminal conduct , not unlike a repair person comes to the home, see something he likes and wants ,and comes back under false pretenses to steal it.

(h) *In Taylor, Freed & Kronz* 503 US 638 , the court held that after 30 days a trustee may not challenge the validity of an exemption , even if there was no basis for claiming .The present miscreants :Defendant Fields 30 days were up in May 1996 All his other gyrations were fraud and theft. Defendants Spear and Davis in their false pretense racketeering endeavor without standing sought to create their own right to challenge any exemption seven years after it was claimed., simply because Plaintiff was humanly trafficked to their neighborhood.

(i) *In Roussey v Jacoway* 544 U.S.320 the Supreme Court reaffirmed it's position that retirement funds are exempt from judgments including bankruptcy. That also include theft, extortion , looting , human trafficking and more by the greedy Defendants.

(j) *In Boggs v Bogs* , 520 US 833 the court held that retirement funds are and shall remain inviolate from bankruptcy and certain other judgments holding that :Congress could not have intended that pension and retirement benefits would be given to accountants and attorneys.

(k) *RICO US v Turkette* 452 U.S. 576 , is an enterprise for a racketeering activity , can be a group of people or just a few people associated for the purpose of racketeering activity.. The Defendants in the present matter are just a "few people" but they engaged in a RICO racketeering conspiracy

(l) 28 U.S.C. #586 (d) to be a member of the panel of private trustees an applicant must: poses integrity and be of good moral character, and the appointments are for a period not to exceed one year. Defendants overstayed their one year term, and were not of good moral character.



(m) *United States v Throckmorton* 98 U.S. 61 the court held "There is no question of the general doctrine that fraud vitiates the most solemn contracts , documents and judgments. Everything these Defendants have done or written must be vitiated..

The above named laws and authorities are just a sliver of the rules and laws that have been violated in this corrupt RICO undertaking by all the Defendants.

**(24) *HAZEL-ATLAS GLASS CO, v HARTFORD-EMPIRE GLASS CO.* 322 US 238  
STARE DECISIS**

The above entitled case an astonishing fraud on the court by officers of the court is 100% on point with the matter at instant and needs to be presented in more detail.

Hazel and Hartford were both glass producing companies . Hazel was working on a new process of glass blowing which they would patent and presumably that would bring them dominance in the field and patent use and infringement fees. However they were working on perfecting their process, and were not there yet for patenting. As with all science there is trial and error before there is trial success.

Hartford was aware of Hazel's work in preparation for the patent, and the nature of the failures on their path. The longer view was that once Hazel can file for the patent it will be granted and they will have to pay Hazel fees.

The attorneys-officers of the court for Hartford came up with an astonishing scam. They located a "straw man" in the Pennsylvania hills who would be their pro forma scientist whom no one would be able to locate and he would be the scientist for Hartford. for the payment of \$10,000, The attorneys themselves through falsifying names wrote all the material, the scientific articles in which the "scientist" claimed that they have the new glass making process ready to go without any further testing, and created several false scientific monthly journals, printed all

sorts of invented professional praise for their created "scientist" -straw man, and the awards he had received to provide him with status , and obtained a patent for their "new process."

Hazel who had this process before-just not patented yet , continued using it in glass making. Hartford filed a patent infringement suit and was awarded \$1,000,000 plus legal fees. This action was going through the courts and the appellate process and reached the Supreme Court which upheld the award . Hartford was also challenging other glass manufacturers alleging that they were using their process without compensation and they prevailed in several courts and received numerous large infringement monetary awards Presumably the attorneys for Hartford who had created this massive fraud were now filled with power and at ease with the swindle and fraud.

Over time Hazel's attorneys developed doubts about Hartford's claims , and engaged two investigators and other professionals to look into this 'scientist' and all of Hartford's activities ,and the straw man was located. He knew nothing about what he was supposed to have done, other than remain silent, but complained that he did not receive the full \$10,000 promised.. He had received only \$7,500.

Hazel-Atlas equipped with the facts had already initiated other complaints against Hartford .but also asked the Supreme Court to vacate the courts prior order affirming this astonishing fraud and the \$1,000,000 award. Justice Black spoke for an unanimous court " Every element of the fraud here disclosed demands the exercise of the historic power of equity to set aside fraudulently begotten judgments."

Justice Roberts:" No fraud is more odious than an attempt to subvert the administration of justice.It is complained that members of the bar have knowingly participated in the fraud. Remedies are available to purge recreant officer of the court from the tribunals on whom the fraud was practiced".

The Supreme Court ordered the Court of Appeals to vacate the orders favoring Hartford,

the fraudulent judgments be vitiated and vacated directed that Hartford-Empire may not participate in the above described process .

This is an astonishing extensive case of attorney fraud ,manufactured evidence , brazen shameless extortion and fraud on the court and more ,that lasted almost 20 years moving in various courts until it unraveled .

While the fact patterns might differ, the core of the case is 100% on point with the matter at instant: grotesque liars ,perjurers and forgers manufactured evidence and unbridled greed. While the malfeasants are all officers of the court, their conduct is akin to street thugs that steal any way they can..

**(25) THE MARYLAND EXEMPTION CLAIMED IN MARCH 1996.**

Maryland exemptions are constitutionally mandated by Article III, Sec 44 of the Maryland Constitution. *In Re Solomon 166 Bankr832, affd. 17Bankr325 (1994)*. Exemptions Should be literally construed *Solomon supra*. The purpose of mandating these exemptions is to prevent a retired person becoming dependent financially on the state. In fact it is clear from the legislative history of the 1978 Act that converting non exempt property into exempt property is part of the exemption law. *H.R.Rep. No 595, 95<sup>th</sup> Congr. 1<sup>st</sup> Sess. 361 (1977)*.

The exempting per *MD. Courts and Judicial Proceeding 11-504(b)(h) Interest in retirement funds* can not be waived by written waiver or cognovit note. If a waiver is filed the court may invalidate it.

On March 26, 1996 counsel filed out the forms appropriately , claimed the exemptions according to the laws of Maryland. It is only many years later that Plaintiff was robbed by these crooks with law degrees.



**(26) RICO: OBSTRUCTION OF JUSTICE, EXTORTION,  
INTERFERENCE WITH PROPERTY RIGHTS,  
MAIL AND WIRE FRAUD**

18 U.S.C.A # 1961 (1) (B) defines a RICO predicate the obstruction of justice that interferes with commerce , while 18 U.S.C.A.#1962 © defines as RICO that income from racketeer activity through pattern of racketeering to collect an unlawful debt. *U.S. v Turkette* ,452 U.S. 576 An enterprise for this racketeering activity requires just a few people associated for that purpose. In *Rotella v Wood* , 528 U.S. 549 , the court held that any person injured by or lost property through RICO may seek treble damages.

The matter at instant has all the elements of a RICO enterprise: racketeering , a theft and extortion scheme., Defendants have obstructed justice repeatedly , Defendants Field Oestreicher, Spear and Davis engaged in extortion. All the Defendants interfered with Plaintiff's rightful property rights , and they used the mail and "wires" for their fraud. To meet the RICO paradigm it is usually agreed that more than one-at least two predicate Acts must be engaged in. Defendant Field who initiated this RICO conspiracy falsely alleged to be 'the trustee' to give himself credibility when he sought reopening of the more a few year old case, and planned to use this lie for his plunder.. Plaintiff's scorned former husband and his buddiesuspended attorneys were the poster persons for the NY State Organized Crime Strike Force.

**(27)**

Plaintiff re alleges and incorporates paragraphs 1-26

**(28) RELIEF REQUESTED**

PLAINTIFF demands judgment granting the following relief :

- (1) An award of compensatory damages in amount of two million dollars each from Defendants: Field Esq. Oestreicher Esq. Spear Esq. and Davis Esq.
- (2) An award of compensatory damages in amount of one million dollars each from Defendants: Reznick, Fedder et al. Whiteford Taylor et al. Goldberg, Stinnet et al
- (3) An award of punitive damages in amount of three million dollars each from Defendants Field Esq. Oestreicher Esq. Spear Esq.
- (4) An award of punitive damages in amount of four million dollars from Defendant Davis Esq.
- (5) An award of costs and fees for prosecuting this RICO conspiracy for more than a decade in amount of one million dollars , or in the alternative to be decided at trial
- (6) That at trial the jury be provided with all the evidence that this is a RICO case and therefore any award can be tripled .
- (7) This Hon. Court is asked to apply the sanctions put forth by the US Supreme Court in *Haze-Atlas doctrine*, stating that "any officer of the court that lied to a court should be removed from that court"
- (8) Such other relief this court may deem appropriate

March 8, 2012

  
DR. PEPI SCHAFLER, JD  
10829 Brewer House Road  
North Bethesda, MD 20852  
Tel. 301-881-7079  
Fx.: 301-881-7202  
[Dr.pepi.schafler@verizon.net](mailto:Dr.pepi.schafler@verizon.net)